

REMARKS / DISCUSSION OF ISSUES

Claims 1-32 are pending in the application; claims 31 and 32 are newly added.

The applicants thank the Examiner for acknowledging the claim for priority and receipt of certified copies of all the priority document(s).

The Examiner is respectfully requested to state whether the drawings are acceptable.

The Office Action Summary indicates that the Specification is objected to by the Examiner, but the Detailed Action section of the Office action fails to specify this objection.

The Office action objects to claims 7 and 21; claims 7 and 21 are correspondingly amended herein. Withdrawal of this objection is respectfully requested.

The Office action rejects claims 1, 5, and 8 under 35 U.S.C. 102(b) over Jonsson (WO 01/76294). The applicants respectfully traverse this rejection.

Jonsson fails to teach granting access based on a user right certificate identifying an authorized user, and an information item provided by another user, linking this other user with that user right certificate, as specifically claimed in claims 1 and 8, upon which claims 2-7 and 9-21 depend.

Jonsson teaches a system comprising a set of client structures, wherein a 'superuser' of each client structure can give a second user authority to access the client structure (Jonsson, Abstract). Of particular note, Jonsson teaches that the client structure is maintained by an access provider (Jonsson, page 14, lines 15-17). When the superuser desires to grant access rights to a second user, the superuser registers the new client structure to the access provider. As illustrated in Jonsson's FIG. 3, a server 20 at the access provider includes a service control module 30 that controls access to services 34a-34c based on the information included in the client structures maintained by the access provider.

Jonsson's system distinguishes between service providers and access providers, wherein the access provider controls access to the services provided by the service providers based on client structures that are defined by the superusers of each client structure. Jonsson's access provider centralizes the control of access to services, and performs a simple authorized/not-authorized determination for each service based on whether the particular user is included in an access list (client structure) that is stored at the access provider's system.

The applicants teach a system that eliminates the need for a centralized access controller and a centralized access list. In one embodiment, a consumer device is configured to control access to protected content material. Of particular note, instead of using a simple access list ('client structure' of Jonsson), the applicants' device determines whether access is authorized based on a variety of information items. To access the protected content, a combination of content rights and user rights are used, and domain certificates are used to establish associative user rights.

As contrast to Jonsson, the granting of shared user rights are not established by creating or modifying an access list at a centralized access controller. Instead, the access is controlled by collecting access information from the user at the time that the authorization for access is requested. In the applicants' system, the access control device ascertains that access to the content material has been granted to an authorized user, and then determines whether the requesting user and the authorized user are members of a common domain. The separation of the authorization into these two steps is not disclosed in the prior art of record.

Of particular note, an embodiment of the applicants' invention does not require access to a centralized database that contains an explicit list of all of the users who have been granted access. As claimed by the applicants, access is granted based on a user right certificate identifying an authorized user, and an information item provided by another user, linking this other user with that user right certificate. In the applicants' invention, authorization can be granted/shared merely by a transaction between one user and other, granting the shared access, without accessing a centralized database and adding the other user to a centralized access list. Jonsson

does not teach receiving an information item from another user to determine whether this other user is authorized access.

Because Jonsson does not disclose granting access based on a user right certificate identifying an authorized user, and an information item provided by another user, linking this other user with that user right certificate, the applicants respectfully maintain that the rejection of claims 1, 5, and 8 under 35 U.S.C. 102(b) over Jonsson is unfounded, and should be withdrawn.

The Office action rejects claims 22 and 23 under 35 U.S.C. 102(b) over Kurokawa (USP 6,237,099). The applicants respectfully traverse this rejection.

Kurokawa fails to teach granting access to a content item based on a content right containing necessary information for performing the requested operation on the content item and a user right certificate identifying the first user and authorizing the first user to perform the requested operation using the content right, as specifically claimed in claims 22 and 23.

The Office action asserts that Kurokawa's Abstract provides this teaching. The applicants respectfully disagree with this assertion. Kurokawa teaches a system in which a user identifies an authorization system, and if this system includes an access right for the content item that assigned to the user, access is granted.

As the Office action notes, Kurokawa teaches a single item, the 'access right' that is used to determine whether the user has rights to access the content item. Kurokawa does not teach distinguishing between a content right and a user right, as specifically taught and claimed by the applicants, and the Office action fails to identify these two rights in Kurokawa.

Because Kurokawa fails to disclose granting access to a content item based on a content right and a user right, and specifically teaches that a single access right is used to grant access to a content item, the applicants respectfully maintain that the rejection of claims 22 and 23 under 35 U.S.C. 102(b) over Kurokawa is unfounded, and should be withdrawn.

The Office action rejects:

claims 2-4, 6, and 9-14 under 35 U.S.C. 103(a) over Jonsson and Saw et al. (USP 7,020,781, hereinafter Saw);

claims 7 and 21 under 35 U.S.C. 103(a) over Jonsson, Saw, and Messerges et al. (USPA 2002/0157002, hereinafter Messerges);

claims 15-17 and 19 under 35 U.S.C. 103(a) over Jonsson, Saw, and Wyman (USP 5,204,897);

claim 18 under 35 U.S.C. 103(a) over Jonsson, Saw, Wyman, and Moskowitz (WO 01/018628); and

claim 20 under 35 U.S.C. 103(a) over Jonsson, Saw, and Kahn et al. (USP 6,135,646, hereinafter Kahn). The applicants respectfully traverse these rejections.

In these rejections, the Office action relies on Jonsson for teaching the elements of claims 1 and 8, upon which these rejected claims depend. As noted above, Jonsson fails to teach the elements of claims 1 and 8. Accordingly, the applicants respectfully maintain that the rejections of claims 2-4, 6-7, and 9-21 under 35 U.S.C. 103(a) that rely on Jonsson for teaching the elements of claims 1 and 8 are unfounded, and should be withdrawn.

The Office action rejects:

claims 24 and 30 under 35 U.S.C. 103(a) over Kurokawa and Saw;

claim 25 under 35 U.S.C. 103(a) over Kurokawa and Wyman;

claims 26 and 27 under 35 U.S.C. 103(a) over Kurokawa, Wyman, and Saw;

claim 28 under 35 U.S.C. 103(a) over Kurokawa, Wyman, and Moskowitz;

claim 29 under 35 U.S.C. 103(a) over Kurokawa and Kahn. The applicants respectfully traverse these rejections.

In these rejections, the Office action relies on Kurokawa for teaching the elements of claim 23, upon which these rejected claims depend. As noted above, Kurokawa fails to teach the elements of claim 23. Accordingly, the applicants respectfully maintain that the rejections of claims 24- 30 under 35 U.S.C. 103(a) that rely on Kurokawa for teaching the elements of claim 23 are unfounded, and should be withdrawn.

In view of the foregoing, the applicants respectfully request that the Examiner withdraw the objection(s) and/or rejection(s) of record, allow all the pending claims, and find the application in condition for allowance. If any points remain in issue that may best be resolved through a personal or telephonic interview, the Examiner is respectfully requested to contact the undersigned at the telephone number listed below.

Respectfully submitted,

/Robert M. McDermott/
Robert M. McDermott, Esq.
Reg. 41,508
804-493-0707
for: Kevin C. Ecker
Reg. 43,600

Please direct all correspondence to:
Corporate Counsel – IP&S
U.S. PHILIPS CORPORATION
P.O. Box 3001
Briarcliff Manor, NY 10510-8001
914-332-0222